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A LETTER

TO THE

RIGHT HON. W. E. GLADSTONE

ON THE

*STATUTES OF THE UNIVERSITY OF
OXFORD COMMISSION*

BY THE

RIGHT HON. MOUNTAGUE BERNARD, D.C.L.

RIVINGTONS
WATERLOO PLACE, LONDON

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A Letter to the RIGHT HON. W. E. GLADSTONE, *on the*
Statutes of the University of Oxford Commission, by
the RIGHT HON. MOUNTAGUE BERNARD, D.C.L.

DEAR MR. GLADSTONE,

The work done by the Oxford University Commissioners, whose powers expired on the 31st December last, was of necessity so extensive, and involved so many details, that there would probably be some advantage in giving a general outline of it, and stating some of the facts and considerations which were present to the minds of the Commissioners when their conclusions were formed. I have therefore asked your leave, which you readily gave, to address a letter to you on the subject. If this be an unusual course to take on the expiration of the powers of an executive Commission, I hope I am not wrong in thinking that in the present case there are reasons of public convenience sufficient to outweigh any objection on that score. To answer criticisms is a task which I do not propose to undertake: my purpose is to make this mass of Statutes more intelligible by presenting the several parts of it in their connection with one another.

I shall not deem myself precluded from expressing, for the sake of explanation, opinions of my own, which may or may not be shared by my late colleagues. For these they are not responsible; nor indeed are they responsible in any way for anything which I shall say in this Letter. It will also be clearly understood that, when I speak of acts or decisions of the Commissioners, I do not mean to represent those acts or decisions as unanimous, nor as having been determined, in the minds of all those who concurred in them, by the same reasons.

I.

The Act of 1877 is differently framed in several respects from that of 1854. It gives expressly large powers of legislation not only for the Colleges but for the University ; **Act of 1877.** it contains an elaborate enumeration of "purposes," for which the Commissioners, in exercising those powers, are empowered to make provision : it does not, as the Act of 1854 did, give each College a veto, but it enables each to have a share in framing its own Statutes by electing representatives who become, when elected, Commissioners for that special intent. There are other differences, but it is enough to mention these.

The work of the Commission divides itself naturally into statutes made for the University and statutes made for Colleges. The two classes, however, have many points of contact, and relate in various ways to each other. The large endowments which the Colleges possess, and the great power they are able to exercise, and practically exert, over undergraduate students, make this inevitable.

The general aims of an English University, as of other Universities, are to carry forward the education of young men who have outgrown boyhood, and, by doing this well, to sustain and raise the level of education within the range of its influence—and to advance knowledge. It performs these offices by providing teaching, and by assisting, stimulating, and encouraging study. In proportion as it performs them well, it is successful and useful. The Colleges established in connection with the University have the same general aims as the University itself. These are commonplaces, but it is as well to state them.

The provision for teaching at Oxford has not been uniform. **Provision for teaching.** College tutors, private tutors, University Professors and Lecturers, have each had a share in it, which has varied much at different times. The actual state of things may be described as follows :—

Everybody who chooses to teach, and can get pupils, is free to do so. There is nothing to prevent any one from adver-

tising his intention to form a class, and such advertisements are common.

The number of Professors specially authorized by *the University* to teach is considerable; and their lectures are fairly attended, especially by students of the highest class, though the attendance is somewhat fluctuating and uncertain.

The chief part, however, of the teaching of undergraduates is given by persons specially authorized by the *Colleges*. Every undergraduate at a College, during the first three years at least of his residence, is required to pay a lump sum to his College yearly or terminally, which is supposed to cover the expense of his necessary instruction. He pays the same whether he be poor or rich, whether he want little teaching or much, and whether that which he wants be procurable within the College or not. Such is the rule, though tuition-fees may be remitted in individual cases. The amount of these payments is fixed by each College at its discretion: it varies from £21 to £27 annually. In return, the College provides teaching for him, advises him what lectures to attend, compels him (if need be) to attend them. If he wants other instruction for which fees must be paid, the College exercises its discretion as to paying those fees for him, or any part of them. This system is, I suppose, peculiar to the Universities of this country.

The provision for teaching now made by the Colleges is made not only by means of the tutorial staff which each maintains for its own men, but by arrangements between College and College, between individual lecturers at different Colleges, and again between Colleges and individual lecturers external to them. Under one or more of these arrangements the undergraduates of every (or almost every) College now have it in their power to attend the lectures of some teachers external to the College, and that in nearly every branch of study. At the same time, the Colleges have in their hands the whole power of control; and they either make payments to the external lecturers whom their undergraduates attend, or arrange that they shall attend without payment on the principle of a set-off between the Colleges, each dividing the tuition-fees received by it among its own tutors and lecturers. The latter is the more usual practice.

This system (if it can be so called) works well in several important respects. It produces much activity in teaching ; it gives to the undergraduate some freedom in selecting the teachers most likely to be useful to him ; it preserves at the same time, though probably not undiminished, the influence of Colleges and College officers over their men—an influence valuable not only as furnishing advice and direction to the more industrious, and to the idle an incentive to exertion, but as supplying an effective instrument of moral influence. Private tuition, again, is now much less resorted to than formerly ; and the parents of undergraduates are to that extent relieved from an expense which should be unnecessary.

It has been represented, on the other hand, that the system is not without its defects, and that some evils are incidental to it. It is said that there is a want of organization, and a consequent waste of power, College lecturers being often unwilling to subordinate their choice of lectures and of hours to any general scheme ; that a superfluous number of lectures are thus delivered on some subjects, whilst other parts of the field are not covered as they ought to be, and that there are too many teachers lecturing to very small classes. It is doubted—and this is of more consequence—whether the appointment of lecturers by Colleges has the effect of bringing forward the most competent teachers : a man of very moderate qualifications may, by the accident of seniority or from reluctance to disoblige, obtain a tutorship in his own College, and thus the right to a place among the body of inter-collegiate lecturers, and to a share of the tuition-fees disproportioned to the services he is really able to render ; whilst, on the other hand, a man of marked ability who collects a class of a hundred or more may get much less than his fair share of what those who attend him pay to their respective Colleges. It is thought by some that the undergraduate, who formerly perhaps got too little teaching and direction from his College, now gets overmuch, and has not enough liberty to think and work for himself. It is urged also that the multifarious work imposed on a College tutor, coupled with the eager competition among Colleges for success in the Schools, operates to contract too rigorously the range of teaching and study to a mere training for the examinations, and is thus injurious to the progress of

knowledge, and to that love of it for its own sake without which Universities are liable to become either abodes of idleness or overgrown schools for young men too old for school. It is further said that among the teachers themselves a want is felt of some more definite prospect of advancement beyond the routine duties, if not beyond the ordinary income, of a College tutor.

There is (if I may express my own opinion) some truth in all these strictures. And I shall venture to add that, as College tutors continue to do more and more the work of University teachers, lecturing to members of the University indiscriminately without having been appointed by the University to do so, there is some real risk lest a state of things should grow up wanting both the special advantages of the College system (*viz.* the teacher's personal interest in his pupils and moral influence over them) and the special advantages of a University system (*viz.* impartial appointment of teachers and regular organization).

It has been suggested that College teaching should be set aside, and superseded by teachers directly appointed by the University, the function left to the College being that of assistance and advice, or little more. This is a change which could hardly be effected by Statute without a large interference with the liberty of Colleges and of individuals and the relation which the College holds towards its men—a relation which parents understand, and probably in general approve. With the habits and traditions of Oxford, the first effect of it would certainly be to throw back the business of teaching into the hands of the private tutor—a useful personage, to whom many of us have reason to be grateful, and who can neither be extirpated nor combated by mere legislation. Nor would it be easy to reconcile such a measure, could it be made effectual, with the reiterated and imperative directions of the Act that in making Statutes regard shall be first had to the maintenance of the Colleges for the purpose (among others) of education, and to their wants for that, and other, collegiate purposes. These directions convey a plain expression of intention that the Colleges shall be allowed reasonable liberty and reasonable means to continue to bear a part in the work of academical teaching.

The Commissioners, in framing Statutes for the Colleges,

have acted on this principle. In framing Statutes for the University, they have assumed it, but have at the same time held that it is expedient to make some additions to the number of teachers directly accredited by and responsible to the University, and, further, to take measures for placing these teachers in more direct relations of co-operation and concert with those authorized by the Colleges. They have not, however, attempted to mould into a new and uniform system (which must have been more or less arbitrary) the whole provision for teaching at Oxford, now in a more or less transitional state, nor to subordinate by legislation one kind of teaching to another.

The encouragement of advanced study in the various departments of knowledge stands in close connection with the provision for teaching. It will probably be agreed that the chief aim of Oxford ought to be to produce educated men rather than *savants*. But it is also part of the business of a University to offer to those who are disposed to become *savants* some encouragement and much assistance—assistance in the way of libraries, collections, and teaching; encouragement in the way of material inducements to study.

Various ways of offering such encouragement have been suggested. One is to give an emolument coupled only with an obligation to study, the enforcement of which may be left to conscience, the love of knowledge, and acquired habits of industry, or may be further secured by vesting a responsibility not easy to define in some authority which must always be difficult of selection. Here all is indefinite; and I may be permitted the observation that human nature can hardly be trusted so far. A second is to offer rewards for specific results of study in the shape of work done. This may sometimes be practicable, especially in connection with experimental science; but there are practical difficulties in the way of doing it, unless within cautious limits. A third is to give an emolument coupled with a definite duty, such as that of public teaching, or of doing some specific work in literature or science. No absolute security, of course, is attainable here; but there may be some reasonable confidence that a capable man, interested in a particular study

and charged with a public duty in connection with it, will try to do his work well. In the Statutes made by the Commissioners for the University and the Colleges, this has been regarded as the ordinary way.

II.

The preamble of the Act recites that the revenues of the University are not adequate to the full discharge of the duties incumbent on it, and that it is therefore expedient that provision be made for enabling or requiring the Colleges to contribute more largely out of their revenues to University purposes, especially with a view to further and better instruction in art, science, and other branches of learning, where the same are not taught, or not adequately taught, in the University. This recital, coupled with the enacting clauses designed to give effect to it, is conclusive as an assertion of fact and expression of intention.

A few months before the Act received the Royal Assent, a printed "Statement of the Requirements of the University" had been prepared and issued by the Hebdomadal Council. This Statement, intended to embody the judgment of the Council as to the wants of the University, was formed after an inquiry begun in 1873 and renewed in 1875 and 1876. In 1873, and again in 1876, statements of opinion had been asked from the several Boards of Studies and from the Professors in relation to the departments of study with which they were respectively conversant; and on a consideration of these the Council formed its judgment, which must, therefore, be regarded as deliberate.

The Council, whilst observing that no Professorship ought to be filled up when vacant unless a candidate of eminence should present himself, and that the appointment of a Professor for life would in many cases be preferable to the establishment of a new permanent Chair, proceeded to recommend that thirteen Professorships should be "established" in addition to those already existing. They added that the endowments of the existing Chairs required consideration and should be augmented

where they were inadequate, and that provision should be made for pensions. They further recommended that "a class of Readers" should be established, to the number of nineteen or more, and that there should be occasional Professors or Readers of Northern Antiquities, Æthiopic, and Anthropology. They also desired means for giving from time to time special Professorships to eminent persons, for appointing occasional Lecturers, and making grants for original research. They recommended the creation of a Museum of Classical Archæology, and one of Anthropology, with a competent Curator, additional Physical and Chemical Laboratories, and a Laboratory of Chemical Analysis for the Professor of Geology. And they represented that there was urgent need for structural and other improvements of the Bodleian Library; Lecture-rooms (about thirty in number) for Professors; Lecture-rooms, offices, and a Library for the "Unattached Students."

The estimates which had been formed by the Boards of Studies and Professors had been much in excess of that of the Council, which was based on a careful reduction of them. They had proposed a total addition of twenty-seven new Professorships, with upwards of sixteen Readerships. In the oral evidence which the Commissioners received, these estimates were enlarged still further. The tendency to specialize, which accompanies the extension of knowledge, is now strong in all fields of study; and to each student the field in which he is himself interested opens wide and expanding prospects, and seems to demand ample means for future exploration.

Many other applications or recommendations of a like kind were made to the Commissioners from various quarters. These included a subvention of about £3500 a year to the Bodleian Library; an appropriation of £1000 a year out of the profits of the University Press for the publication of works useful to learning but not likely to be remunerative, the appropriation to be in addition to a "Learned Fund" which is formed by the Delegates of the Press out of certain portions of their ordinary receipts; a fund for the publication of Oriental texts and translations; an appropriation to the University Galleries of Fine Art; University Studentships to be attached to the Bodleian Library; University Fellowships and Scholarships in considerable number for various

special studies, such as Natural Science, Medicine, Oriental learning, and in particular some travelling Fellowships for Archæological study; Chairs of Semitic (including Assyrian) Antiquities, of Indian and Egyptian Antiquities, of old Persian, of Geography (desired by the Royal Geographical Society), a Chair or Chairs of Agriculture (desired by the Council of the Central and Associated Chambers of Agriculture). The Professor of Music was anxious for the establishment of a School of Musical Composition, and a Laboratory of Acoustics; and strong representations were made in favour of a School of Practical Medicine.

Setting aside (on account of its magnitude) the last-mentioned suggestion, the Commissioners had thus a body of proposals which would in the aggregate demand a new annual expenditure not far short of, and probably exceeding, £50,000.

III.

The actual income of the University from external sources, after deducting estate expenses, was in 1880-81 about £7600 (less by nearly £3000 than it had been four years before). Its "internal" income, from fees and dues, was £23,000; and £4000 was received from the University Press. The ordinary expenditure, taking one year with another, nearly exhausts the ordinary revenue. Large sums have lately been spent in building new Examination Schools, the total cost of which, including fittings, will, it has been said, fall not very far short of £150,000; stock has been sold, and a loan of £60,000 raised for this purpose. And nearly £7000 has in the last two years been laid out in structural repairs (still in progress) of the Bodleian Library.

The Commissioners have not thought it right to direct an augmentation of the University fees and dues. It is always undesirable to increase those expenses of academical education which a student cannot diminish for himself by any exertion of frugality or industry. But the University is, and will continue to be, free to consider whether the fees and dues are sufficient for

the purposes to which they are now applied, or for any other expenses which may properly be defrayed out of them.

There is no other source from which the funds at the disposal of the University can be increased, unless by contributions from the Colleges.

According to the figures given in the Report of the Duke of Cleveland's Commission, the total income of the **Income of Colleges.** nineteen Colleges (not including Keble and Hertford) was in round numbers about £387,000 gross, or £300,000 net, after deducting estate charges of all kinds, repairs and improvements of College buildings, augmentation of livings (between £8000 and £9000), and charge for loans (nearly £20,000). The receipt side of the account includes internal as well as external income (the latter about £270,000 gross), and the income of Trust funds. About £27,000 of the income was money borrowed to replace fines, etc.; and subscriptions and pensions, not deducted above, amounted to about £9000. We should further, in estimating the net income of the Colleges as such, make a reduction on account of the statutory payments which the "House" or composite foundation of Christ Church makes to its Cathedral and Chapter Funds. The general correctness of these figures has not been seriously disputed, though they doubtless require sundry corrections of detail.

It was calculated that this aggregate income would probably have received an augmentation of about £32,000 *gross* by the year 1880, and some £65,000 more by 1890. But against this expected gross increment, supposing the expectation to be just, are to be set charges for repayment of loans (very heavy when deferred, as the repayment of fine loans frequently is, till an increased rental comes in) and extraordinary repairs and improvements necessary at the expiration of the beneficial leases on which much land and a large quantity of house property are still let. To these we must now add the actual reduction of agricultural rents, from which most of the Colleges are suffering, and the prospect of some depreciation in the future. Allowance must be made also for building loans contracted or sanctioned, and expenditure of capital (which involves loss of income) authorized for a like purpose.

I confess myself unable to form any estimate of the future total income of the Colleges which I should not regard as speculative.

All allowances made, we have here undoubtedly a large actual and prospective income, as to which, however, it must be observed, first, that it is unequally distributed, most of the Colleges being by no means very wealthy ; secondly, that the present income, except some small margin here and there, is absorbed by vested interests and other charges which cannot be struck off at pleasure. It follows that no heavy *immediate* charge can be imposed on the Colleges for University purposes. No funds exist from which such charges could be met. And in imposing *prospective* charges it must be borne in mind that the amount they will realize, and the time within which it will be realized, are matters of much uncertainty.

IV.

Under these circumstances, the Commissioners have not attempted to appropriate to specific purposes all that the Colleges will ultimately have to pay. A considerable part of it they have appropriated, deeming it better for the University and the Colleges that many arrangements respecting the Professoriate and some other matters should be settled at once by statute, though they can only take effect by degrees ; the disposal of the rest has been left to the University, or to authorities constituted within the University.

The appropriation to the Professoriate out of College revenues—an appropriation made in general by charging on particular Colleges the maintenance of particular Professorships and associating the Professor with the College by making him a Fellow of it—will amount altogether, in course of time, to about £25,000,* or somewhat more, ex-

College Con-
tributions to
University
purposes.

Under
College
Statutes.

* I may observe that here, as in other parts of this Letter, I do not attempt to give numbers or amounts with exact precision. To do so would involve the necessity of qualifications and explanations which would uselessly encumber this statement.

clusive of the five Professor-Canonries at Christ Church (£7500), and of a Canonry in Rochester Cathedral which will presently be mentioned. But against this sum of £25,000 must be set the amount which the Colleges have hitherto been paying to the Professoriate (about £7000). To that extent the University will be none the richer, and the Colleges none the poorer. We must also bear in mind that the University, out of its own funds, now pays about £6000 a year to Professors, of the great bulk (though not the whole) of which the College payments will in time relieve it, setting free for other University purposes the income thus released.

The addition which this appropriation will make to the *personnel* of the Professoriate is not large. It includes Professorships of Ancient History (a second Chair); Classical Archæology and Art; English Language and Literature; the history and literature of the Romance or Neo-Latin languages (viz. those languages of Modern Europe which are derived from the Latin); Physics (a second Chair); Human and Comparative Anatomy; Applied Mechanics; Pure (or Analytical) Mathematics. It includes also Readerships in Roman and English Law, and the statutory assignment of duties in connection with the University to Dr. Lee's Readers in Chemistry, Anatomy, and Physics at Christ Church.

The Canonry in Rochester Cathedral hitherto attached to the Provostship of Oriel will, at the next vacancy, be severed from it, and made the endowment of a Professorship of the Interpretation of Holy Scripture (in addition to the existing Professorship of Exegesis). The field covered by this title being one of great extent and diversity, giving scope to varied learning and research, the Commissioners have judged it better not to attach the new endowment to the Ireland Professorship—which would have presented some practical difficulties—but to found a second Chair. It is right to add that they do not treat the whole emolument of the Professor-Canonry, the holder of which will have a residence and duties in another diocese, as the endowment of an academical office in Oxford.

I may here, in passing, observe that the emoluments (though not the academical duties) of the Professor-Canons at Christ Church have been left unaltered by the Commissioners. It is,

to say the least, far from clear that these emoluments were within the powers given by the Act. Had this not been so, the Commissioners would probably have thought it right to consider—that they would have come to an affirmative conclusion, I do not say—the question whether, by a moderate reduction of the value of the Canonries, as recommended by Dr. Pusey and Dr. Liddon, some additional (and different) provision might not usefully be made for the group of studies to which the Professorships relate.

The Commissioners have not attempted to establish a School of practical Medicine in Oxford. The highest authorities support the conclusion—in itself reasonable—that it is not advisable to attempt this unless you can secure two conditions,—a staff of competent lecturers in all the principal departments, and sufficient opportunities of clinical teaching. But in a provincial town of moderate size, distant an hour and a half from London, with a county infirmary supported by subscriptions and over which the University has no control, the first of these conditions could be realized only (and that imperfectly) at a very great cost in salaries—an annual cost of many thousands—whilst the second appears to be not at present attainable. The Commissioners have made some additional provision for the studies preparatory to Medicine, separating (amongst other things) the department of Physiology from that of Human and Comparative Anatomy; they have imposed on future holders of the Regius Professorship of Medicine some more definite duties than are now attached to it; and they have made the small existing endowment for clinical instruction more freely disposable for that purpose. But they have—without any serious doubts, though not, it may be, without some regret—forborne to attempt more.*

It is proper here to add that the Statutes made for All Souls and Merton Colleges provide for a specific contribution to the funds of the Bodleian Library from each of those Colleges—from the former £1000, from the latter £300 a year.

So much for the University charges created by *College*

* The information and advice collected by the Commissioners on this subject will be found in the volume of Minutes of Evidence, etc., presented to Parliament, pp. 381–391; and in the evidence of Professor Acland, Mr. Lankester, and Dr. Payne.

Statutes. Beside these—but not, strictly speaking, in addition to them, since they will be permitted to count against the general charge it imposes—a Statute made for the *University* under sect. 16 of the Act requires every College in the University to make a yearly contribution, assessed on its net revenue, to University purposes. Net revenue is for the purposes of this Statute defined by a careful enumeration of the items to be reckoned on the side of receipts, and on that of deductions or allowances, the former including all income from endowments of every description which can fairly be regarded as applicable to College purposes. On the net revenue thus ascertained every College will annually pay two per cent., and on all net revenue exceeding £5000 it will make an additional payment graduated roughly according to the wealth of the College. Thus a College having £5000 net revenue would pay only £100, whilst a College with £15,000 net would pay above £1000, and a third, with £25,000 net, somewhat more than £4000.

The principle that the contributions of a wealthy College should be fixed on a higher scale than those of a less wealthy one was early adopted by the Commissioners; and in the specific appropriations made by College Statutes it has been assumed throughout, though not applied with any attempt at nicety of proportion, nor without regard to other circumstances. Ultimately it was embodied in a general Statute on a representation from the Hebdomadal Council, and with the assent of a great majority of the Commissioners elected by the Colleges. The common objections to a graduated tax on the earnings of industry, or on property accumulated by such earnings, have no application here. And, since what a College needs to do its work as such is, in the case of a wealthy College, less in proportion to its resources than in that of one more slenderly endowed, it can afford to contribute to the University more in proportion.

It will be observed that what has been called internal income, viz. the receipts of a College from its own members in respect of tuition-fees, battels, and the like, are excluded from the computation of net revenue. For various reasons, which it is needless to explain, it was found on the whole more consonant to justice

and convenience to treat these receipts as money received for and applied to specific College purposes, and not liable to taxation. This, together with the liberal reductions allowed, is to be borne in mind in judging of the scale of taxation adopted and the amount it may be expected to produce. Net revenue, as defined in this Statute, is a different thing from net revenue as we should understand it in the Report of the Duke of Cleveland's Commission.

The additional payment on revenue exceeding £5000 is not to be exacted immediately. It will become due by successive increments at intervals of years. Nothing will be payable in respect of it until 1885, and the whole will not have become payable until after 1899. The two per cent. payment will begin in 1883.

The difficulties inseparable from any scheme of taxation which shall be substantially just and shall not unduly fetter the freedom of Colleges—difficulties which reveal themselves only after examination—have, it must be owned, given an appearance of intricacy to this Statute. Nor is it possible that any general Statute can operate quite equally on Colleges different in their circumstances and holding endowments under a great variety of conditions. But it appears to have met, if not with unanimous approval, at any rate with very general acquiescence. Two Colleges only have petitioned against it, both in reference to a particular point, and one of these two petitions has been withdrawn.

It remains to consider what will be done with the money thus levied. A large proportion of it, practically, will go to the Professorships for which provision has been made in the College Statutes, since what the Colleges so pay they are enabled to write off against their contribution under this Statute—at least, against so much of it as does not consist in the rateable payment of two per cent. In some cases, indeed, the specific appropriation exceeds the highest amount which the general contribution is ever likely to reach—notably in the case of All Souls, which will provide nearly £6000 (or on a different computation more): in such cases, what the Statute does is to secure a payment rising by certain increments within a certain period. Subject to this, the College contributions will go, not to the University Chest or general purse of the University, but to a new fund contemplated

by the Act, and designated the "Common University Fund." It is further provided that if, in 1884 or any subsequent year, the amount paid into this fund is less than £3000, the deficiency shall be made up out of the University Chest; and that, so soon as the revenues of the University shall in the judgment of Convocation be sufficient, the total amount to be annually carried to the credit of the fund shall be raised to a sum of not less than £5000.

The establishment of this Fund is a matter of importance.

**Common
University
Fund.**

It will not be, as the general revenue of the University is, at the absolute disposal of the Hebdomadal Council and the Convocation. It cannot be spent in building. It is to be available for certain purposes expressly contemplated by the Act, and those only—for payment of stipends to Readers, extraordinary Professors, and Lecturers within the University; making payments for work or investigation in branches of learning or inquiry connected with University studies; providing or enlarging libraries, collections, or apparatus; founding or endowing scholarships, exhibitions, or prizes; providing pensions for Professors or Lecturers. For expenditure on the last two classes of objects, and for any appointment to an extraordinary Professorship—that is, "a Professorship which is to continue so long only as it is held by the person appointed to it"—a vote of Convocation will be required: subject to this limitation, the control and disposal of the Fund is entrusted to a Delegacy, in which the Hebdomadal Council, the Congregation (that is, practically the residents as a body), and the "Boards of Faculties," described hereafter, will be respectively represented. This Delegacy is to prepare for publication yearly a statement of the income and expenditure of the Fund for the year preceding, with an estimate for the year following, adding such further information as they may think proper, or as the University may by Statute require. The power of the Delegacy over the Fund is, it should be observed, further limited in one respect by the Statute concerning University Readers, to which further reference will be made hereafter. Four at least of such Readers, whose stipends will be payable out of the Common University Fund, must be appointed before the close of 1883, and three more at least before the close of 1884.

A further charge is laid, not indeed on the Common University Fund, but on the general revenues of the University, **Unattached** by the Statute concerning students not attached to **Students.** any College or Hall. These are persons who, for the sake of practising a stricter economy, or for other reasons, desire to have the advantages of the University without becoming members of any College. The number of them was, according to the Calendar for 1881, 382, of whom 308 were undergraduates. Even under the present conditions of University life, and still more with some change in these conditions, the number might considerably increase. Whilst it is not desirable to hold out special inducements to students not to attach themselves to Colleges, it is right that those who refrain from doing so should be relieved to some extent by the University from the great disadvantage at which they are placed by the side of students for whose teaching and discipline a partial, but substantial, provision is made out of College endowments. The Statute accordingly requires the University to provide, for the year 1883, £200, and for every subsequent year £400, to be applied towards payment of the censor or censors of the Unattached Students. It directs also that, as the University Chest becomes relieved by the Colleges from the payments it now makes to Professors, a sum, to be ultimately not less than £600 a year, shall become payable for "Tutors or Lecturers for the said students, or in maintaining Scholarships or Exhibitions tenable by such students, or otherwise in encouraging study among them or diminishing the expense of their University education." And it further provides that, "so soon as the state of the revenues of the University will admit, the University shall be further charged with the expenditure of a capital sum, not less than £7000, in providing offices, a library, and such other buildings as may be necessary" for these students, any site which the University may grant to be counted as part of this capital sum. No time is fixed for the fulfilment of this obligation, but it creates a claim which may be trusted to assert itself hereafter.

It will thus be seen that for the many and various demands of learning and science, of teaching and study, in connection with the University, the Commissioners have endeavoured to

provide, partly by attaching Professorships to Colleges, which will to some considerable extent set free the funds left at the disposal of the University itself from subsisting charges, partly by the creation, pursuant to the expressed intention of Parliament, of a new Fund, at first very moderate in amount, but destined to increase by degrees and to vary with the resources of the Colleges, and the disposal of which, subject to some directions which the Commissioners think it right to make imperative, is entrusted to a Delegacy in which all the departments of academical study will be represented, as well as the wishes and interests of the general body of the University. It will be the duty of the Delegates to form a judgment from time to time of the relative importance of the claims which may arise, and the representations which will be brought before them ; and their yearly report will keep the state of the Fund and the purposes to which it is applied constantly open to observation.

In two directions the Commissioners might doubtless have gone further than they actually have. The Colleges might have been shorn of more of their revenue, and a freer power of disposal over revenue drawn from them might have been given to the University. But, in the first place, the "maintenance" of the Colleges "for the purposes of education, religion, learning, and research" has been, in the view of the Commissioners, both a statutory duty to be performed substantially and *bonâ fide*, and an object in itself expedient. In the second place, I will venture to say that no good service is done to a University by giving it uncontrolled disposal of very large funds. A University, like other assemblages of men, is not free from the influence of personal considerations, nor from the danger that particular interests, keenly pushed, may sometimes overpower general interests ; and the most eminent of its members are not always among those who have time to spare for often recurring debates.

V.

Returning to the Professoriate, we have to consider what has been done in respect of the payment of the Professors, their duties, and the mode of their appointment.

There has hitherto been much disparity in the stipends of Professors, and that due rather to accidental causes than to any governing principle. Some have had Stipends of Professors. about £600 a year; nearly as many £400 or £500; others less. Two have had endowments yielding about £900; two, again, have for some years been receiving from £1000 to £1500 each, the College charged with them having forborne, for reasons of its own, to make a composition which would have secured them £750 at a time when their actual incomes were much less. Under the new Statutes the emoluments (exclusive of fees) of a majority of the Professors will in course of time be about £900, of a minority from £400 to £500. The University is not restrained from augmenting hereafter (should it think fit) the stipends and duties of the Professorships now fixed on the lower scale. But in disposing of funds not unlimited in amount, it has been deemed reasonable to assign larger emoluments and duties to persons charged with the larger departments of study, and less to those whose departments are smaller or of less educational importance. Of both scales it may be said that professorial incomes, derived from endowments, must be modest, unless the recipients of them are to be few. More may be made by facing the drudgery and the vicissitudes of a trade or profession: a Professor must submit to a reduction on account of greater certainty, more congenial work, and larger leisure.

The Commissioners have not seen their way to make Professorial incomes dependent to any material extent on fees. Under a system of fees the teacher competes with other teachers, and the competition, to be fair, must be on equal terms: he must offer, if he is to succeed, the kind of instruction which will draw large classes, and therefore that which has tangible and immediate value; he may earn a large income, but will more probably have to be content with a pittance. Large incomes have certainly been earned in Germany by celebrated teachers. But in Germany the Universities are the avenues to professional employment and to the service of the State; there are many of them: every student is free to attend what lectures he pleases, and may for that purpose, I believe, pass from one University to another without ceasing to count his terms. A famous Professor may,

therefore, gather a very large audience ; and there is a wide field of possible promotion for those who distinguish themselves as teachers or writers. But, as we might expect, the general scale of academical incomes is low. At Oxford all these conditions are absent. And so long as each undergraduate is required by his College to pay to it during all or the greater part of his time a sum supposed to cover the whole expense of his regular teaching, he cannot be required or expected to pay additional fees to University teachers to any considerable extent. The present practice is probably convenient to the men themselves and to their parents, as well as to the Colleges, but it obviously makes it difficult to exact such fees if the attendance on University teachers continues to be optional. It would be possible, of course, to make attendance compulsory, and with it the payment of fees ; but if this should be thought expedient, it must be for other than financial reasons.

The duties of the Professors, the jurisdiction to which in case of misconduct they are to be subject, and various other matters relating to them, have hitherto been regulated by a great number of separate Statutes, repeating one another with but little variation. The Commissioners have thought it well to revise and consolidate these provisions, which will in future be comprised in two Statutes, one relating to the duties of the Professors enumerated in it, the other to what is called the "Visitatorial Board." These Statutes, when they were first published, provoked much criticism and some loud complaints ; and the Commissioners received some representations from the Hebdomadal Council, and many from the united body of Professors. Some of these representations they judged reasonable in substance, though in very few instances were they able to adopt exactly the suggestions tendered to them.

There is doubtless scope for discussion on the question whether a man of learning should be bound to perform any definite duties at all, or to communicate in any way the knowledge he has acquired and (it may be hoped) will go on acquiring. Much may be said on the distraction from profound study which such duties must occasion, the irksomeness of lecturing and teaching, the peculiarities of temperament and character which may be

found in men of learning, and the expectation which may be formed that they will never yield to the temptations of indolence, or to a habit of keeping their knowledge to themselves ; something also on the special difficulties (due to no fault of his own) which a Professor at Oxford, even of the highest qualifications, will occasionally find in attracting a class and keeping it together, and the annoyance a man anxious to do his duty may naturally feel under disappointments of this kind. Much has, in fact, been said on these and like topics, and it has been easy to point out how much more comfortably and successfully a Professor would lecture in a University where there were no Colleges or College tutors, no system of competitive examinations, unlimited facilities for pursuing special studies, and crowds of students, than he possibly can under the very different conditions which have grown up and established themselves at Oxford. But the Commissioners have adhered to the opinion that a University which furnishes regular stipends to Professors should require from them some corresponding duties ; and that such duties, not excessive in amount, are by no means incompatible with the pursuit and advancement of knowledge, if not actually favourable to it, as in many cases they certainly are. If in some they interfere with an exclusive devotion to scientific inquiry or literary research, the answer is, that a devotion so exclusive as this, however useful it might be to science or learning, is not the proper business of a University Professor. A Professor paid on the higher scale will hereafter have to lecture in every term, unless he has obtained a dispensation, and to give forty-two lectures in the year instead of twenty-four ; in no term may he give fewer than six lectures, and in two at least of the three terms he must lecture during seven weeks not less than twice a week. He has further to give to students attending his ordinary lectures assistance in their studies, by advice, by informal instruction, by occasional or periodical examination, and otherwise, as he may judge to be expedient, and is to appoint, for receiving students who desire such assistance, stated times in every week in which he lectures. The Professors paid on the lower scale will have duties proportionately less. For those who have charge of laboratories and of practical teaching, there are special and appropriate regulations. For all, there are opportunities, new for the most part and guarded with

some care, of obtaining, within reasonable limits, dispensations and leave of absence.

It has been said that the regulations on this subject err in the direction of laxity and indulgence. If so, they err on the safer side. There are different ways of lecturing well, which different men may use, or the same man may wish to use at different times ; and in dealing with a body of men presumably able, presumably chosen with care, presumably interested in their several subjects, whose duty it is to be students as well as teachers, and to advance knowledge, if they can, as well as to communicate it, to confine them too little is, at any rate, better than to confine them too much.

The direct use of the Professoriate at Oxford is to give such instruction as may be expected from men able, and
Uses of a Profes- required, to devote themselves wholly or chiefly to
soriate. one subject or branch of knowledge, and chosen by an impartial authority on the score of their having already gained distinction in it. Among the indirect uses, which are many, are the inducement thus afforded to able men to earn this kind of distinction, the advantage secured to the government of the University and the regulation of its studies and Examinations by the presence in it of a considerable number of men thus qualified, the advancement of knowledge both positively and relatively to the University itself.

A Professoriate at Oxford works under some peculiar disadvantages, from which, while the Colleges exist, it never can be entirely free. But its value to the University has been great, and will, according to all probability, be greater in course of time. For a body of this kind, once firmly established in a University, is sure to grow in influence—unless, indeed, it deteriorates in quality.

The authority to take cognizance of neglect of duty or other
Visitatorial Board. misconduct on the part of a Professor is, we may well hope, likely to be rarely, if ever, called into action. But it ought to be capable of acting. Hitherto it has been lodged in a body so antiquated in its composition and so unsuited to the present state of the University that the liability to animadversion was, the Commissioners were informed, practically but nominal. The Statute concerning a

Visitatorial Board substitutes a body differently constituted, defines the jurisdiction it is to exercise, and extends the range of that jurisdiction to other officers of the University.

Of all administrative difficulties, one of the greatest lies in the appointment to offices. At Oxford the modes of election to the several Professorships have hitherto been various, and, in many cases, by no means the best that could be devised. In a few the right to elect has been exercised by Convocation, with the result that elections have frequently been determined by activity in canvassing, by personal considerations, or College influences. The Commissioners have applied to all Professorships not in the nomination of the Crown the principle that the appointment shall be committed to a small number of electors, not more than seven nor fewer than five, comprising residents holding University office, a nominee or nominees of the College which furnishes endowment, and in most cases also some person or persons of eminence external to the University. By another Statute the Hebdomadal Council is entrusted with a power, which may in some circumstances be very usefully exercised, to suspend the election to any Chair for a period not exceeding a year, "unless within that time a new Statute relating to the vacant office shall have been submitted to the Queen in Council, in which case the suspension shall be continued until the proposed new Statute shall have been either approved or disallowed."

**Appoint-
ment of
Professors.**

The Commissioners have concurred in the opinion that the establishment of a class of Readers, intermediate between the Professors and the College tutors, is likely to have substantial advantages, and they have accordingly made some provision for it. The University Reader is to hold office for short terms, to lecture and give instruction in some branch of study defined at the time of his appointment by the University, or by the Delegates of the Common University Fund, and to receive a moderate stipend. The appointment of Readers will, unless the University otherwise determine, rest with the Delegates, or with persons, not fewer than three, whom they may in each case nominate for the purpose.

**University
Readers.**

There is another matter relating to the Professoriate, and to academical teaching in general, which the Commissioners have

deemed worthy of serious attention—the better organization (to use, for shortness, a somewhat vague and pretentious word) of University teaching. By a Statute on this subject the studies of the University are treated as distributable into four groups—Theology, Law, Arts, and Natural Science, under which last head it has, for the present, been found convenient to include Mathematics and also Medicine. These groups are, for the purposes of the Statute, called, as a convenient designation, though not perhaps with strict historical propriety, “Faculties.” The University is empowered to institute new Faculties, and to subdivide, should it think fit, those of Natural Science and Arts. To each Faculty is assigned a Board comprising all the Professors and University Readers in the subjects of the Faculty, together with other persons, elected from time to time, and representing the College teachers in the same field, and (should the Board think fit to exercise a power of co-optation) a limited number of co-opted members. It will be the duty of the Board to publish (1) before the end of each Term a list of the lectures which are to be given in the ensuing Term in the subjects of the Faculty under the authority of the University, or of any College, or of the Delegates of Unattached Students, and are not to be confined to members of any one College or to the Unattached Students; (2) in Easter or Trinity Term annually, a general scheme or statement, showing, as far as may be, the lectures to be given during the ensuing academical year; (3) annually, a summary statement of lectures given during the preceding year, to which the Board is to add any further information respecting the studies and instruction of the Faculty which the University may by Statute require; and it is empowered to point out any deficiencies in the provision made for instruction, and to make recommendations for supplying them. To this more general report objections were made, both by the Hebdomadal Council and by the Professors; but the Commissioners did not yield to them. The Board has some powers, which, though not very stringent, will probably be effectual in general, in respect of the times and subjects of lectures, intended to secure that the lectures shall be conveniently accessible to students, and shall be such as to supply proper teaching in subjects in which instruction ought to be given.

The publication by University and College teachers of joint programmes of lectures is not new in Oxford ; but it has not hitherto worked quite satisfactorily. From the new machinery which this Statute will create much may be hoped. It will not only, if it works well, provide more effectually for students the information which they ought to have respecting the courses of teaching which will be open to them, and secure greater concert among the teachers ; it will also, we may hope, have the effect, valuable in a University which is a place not merely of general education for young men but of learning and science, of bringing together the teachers employed in each of the principal fields of study, and giving them duties and interests in common. The Boards of Faculties will not only, if the legislation of the Commissioners takes effect, have the powers which this Statute gives them, but some others. They will have a share in directing the disposal of the Common University Fund, and a share also in the nomination of Examiners. It is probable also—though the Commissioners have left this in the discretion of the University—that they may ultimately supersede the Boards of Studies, which have had a useful, but (from their composition and the limitation of their functions) a not very robust, existence.

The Statute which alters the mode of nominating University examiners, though in effect asked for by the Hebdomadal Council, by the Professors and Readers, and by a large number of residents including men of the highest eminence, has excited opposition, and the University has by a majority of votes in Convocation resolved to petition against it. The Commissioners, in framing it, have had in view the strong influence which examinations exert over academical study, the great number of these offices, the changed constitution of the teaching body in Oxford, the large and unceasing extension in many directions of the field of knowledge—an extension which makes it more imperative than ever that the choice should in every case be perfectly impartial and directed by adequate information. They have had in view also the opinions expressed by acknowledged authorities at long intervals of time, but hitherto always without effect. And they have been clearly of opinion that a mode of nomination which

**Nomination
of
Examiners.**

intrusts this power to the Vice-Chancellor and proctors, nominating singly and by turns, though well adapted to protect College interests, presents no adequate securities for knowledge and responsibility in selection.

VI.

By sect. 21 of the Act the Commissioners were directed to make provision by Statute "for the form of accounts of the University and of a College," and "for the audit and publication thereof." In executing this direction they have not thought it necessary to prescribe the form in which the accounts of the University or those of the Colleges shall be *kept*. They have required only that the University and the Colleges respectively shall keep proper books (specifying the more important of them); that there shall be in all cases an annual audit; and that one of the auditors, or the sole auditor if there be but one, shall be either a London professional accountant or a person conversant with accounts approved by the Secretary to the Treasury. They further make it the duty of the auditors or auditor to report regularly, in writing, whether the accounts are duly kept in proper books of account, and whether the published abstracts and balance-sheet contain a full and true account of the financial condition of the University or College. For this report, therefore, the professional auditor will be responsible, solely or jointly as the case may be. They make it the duty of the University to publish annually full information as to its own accounts and the accounts of all the several Colleges, and the duty of each College to furnish such information for publication. The forms to be used are prescribed by Statute. They include revenue and capital accounts, accounts of trust funds and special funds, a balance-sheet showing the state of the current accounts at the close of the financial year, a particular statement of loans outstanding and of the state of the loan account, a certificate by the auditors, or (should any auditor refuse to certify) a statement of his reasons for refusal. The publication of accounts has been

regarded by the Commissioners as a matter of great consequence, not so much as a check on extravagant or improper expenditure, which there is no reason to impute to the University or the Colleges, as for other reasons. The accounts of the University have for many years been very well kept, and an abstract of them has been published yearly; all that was needed was to make this a matter of statutory obligation, and to revise and enlarge the form of the published abstract. But the regular publication of College accounts is new, and is material, not only because the financial condition of the Colleges will henceforth be a matter in which the University has a direct interest, but because it will show how every College administers its affairs and follows the directions of its Statutes, and what it does for education and for learning.

VII.

I now pass to the *College Statutes*.

In revising these the Commissioners have followed a course somewhat different from that of their predecessors appointed in 1854. The latter deemed it sufficient to make by Ordinances, which on approval acquired the force of Statutes, such new provisions as they judged advisable, leaving the earlier Statutes unrepealed except so far as they were abrogated or altered by the Ordinances. What the unrepealed Statutes were, could be discovered only by examination. This has been found inconvenient. The course now taken is to abrogate expressly, for each College, all the earlier Statutes, including the Ordinances, and to substitute a new code.

**Form of
College
Statutes.**

In all legislation for Colleges the cardinal question is that of Fellowships. The Fellows, with their Head, originally constituted the College, are the governing body of it, and have hitherto been entitled, subject to statutory charges, to divide its revenues among themselves or otherwise dispose of them at pleasure. Accordingly the preamble of the Act singles out the Fellowships and their tenure and conditions of tenure as matters specially calling for legislation.

Fellowships.

The number of Fellowships at Oxford (including studentships at Christ Church) before 1852 appears to have exceeded five hundred, and the number of vacancies is said to have averaged about forty-five yearly. At this period the number of First Class honours gained in the two Final Examination Schools then existing seems to have averaged about thirteen. In 1878 the number of Fellowships (not including those in course of establishment at Hertford, where there are now eighteen) appears to have been about three hundred and fifty, of which thirty or thereabouts were suspended. The number of First Class honours gained in all the Final Examination Schools at the same period may be taken at about fifty a year or somewhat more. Fellowships of late years appear to have averaged about £250 in value, beside sundry allowances. At some Colleges they have been less, at others more. At one or two they have exceeded £300. Larger incomes, exceeding £500 at one or two Colleges, have continued to be received by Fellows whose vested interests were anterior to the Ordinances made by the Commission of 1854.

Fellowships have assisted to supply the Colleges with tutors and lecturers. They have, at the same time, offered to men inclined to study, but not to teaching, a moderate maintenance with the means of residing in Oxford, and have also given help to young men of ability while preparing for professions or entering on the practice of them. They have probably drawn to the University many who, had they not been encouraged by the hope of gaining a Fellowship, would not have gone thither. They have furnished incitements to study during the undergraduate course and for a short time afterwards, and have thus contributed to raise the general level of attainment. That they have generally, or in a great number of cases, been of direct service to *learning* can hardly be said. They encourage study up to a certain point, but it is a point reached early. They are not, therefore, properly speaking, rewards of learning; nor do they carry with them any obligation to the after pursuit of learning; nor do they actually lead to it in the great majority of cases, though in some they certainly do.

It should be added that for many years changes have been going on at Oxford, due in part to the alterations made by the

Commission of 1854, and in part to other causes. Fellowships were formerly gained for the most part by men who looked forward to taking Orders, and to the prospect of a College living, and with that prospect in view were in no haste to marry. These were the men who chiefly supplied the staff of College tutors and the permanent society of common-rooms. At present the number of clergymen holding Fellowships is exceeded by that of laymen, and it is not seldom found that among the Fellows of a College there are few or none willing to accept what would usually be called a good living. At the same time, the offices of College Tutor and Lecturer are largely held by men who are not Fellows of the College and do not reside in it; whilst in other cases, where these offices are held by Fellows, the holders are married men resident out of College and authorized to hold their Fellowships by special provisions. Hence those Colleges which, before the late Commission was appointed, had obtained a revision of their Statutes, had tried, in the revision, by introducing special conditions and inducements, to make sure that a substantial proportion of their Fellowships should always be held by men who could be relied on to take College work.

The useful purposes served by Fellowships they have served imperfectly, and at a cost of much waste, under a system which gave to a great number of young men, as the prize of success in an examination, an emolument tenable for life or during celibacy, and free from any statutory obligation of work or residence. A Fellowship tenable on these terms—though a young man who had the choice might prefer it to one of limited tenure—is not, to any appreciable extent, a more powerful incentive to study, nor, as a form of assistance given at the outset of life, is it more really beneficial on the whole. And under this system there have always been many Fellowships held by men in whose hands they could not truly be said to be useful for any public purpose at all. I do not forget that there are pleas to be urged for life-Fellowships, but I am not now summing up the case for and against them.

The Commissioners have been of opinion that Fellowships should be made more definitely and directly serviceable than they have hitherto been to academical study and education, and to the advancement of learning and science in connection with the

University. They have had in view the reasonable wants of Colleges for educational and disciplinary purposes, the importance of providing some assistance and reward for young men of marked ability and industry, and the importance also of associating the Colleges with the interests not only of education, but of learning. In relation to all these matters they have been desirous that the Colleges, as corporate bodies possessing large endowments, should have definite duties, responsibilities, and interests.

They do not propose to extinguish altogether the "idle Fellowship," as it has been contumeliously called—that is, the Fellowship free from statutory obligations of work or residence. They have limited the tenure of it to seven years—a term not too short—and the income to £200 a year. But with these limitations they have not only suffered it to continue, but taken some precautions to protect it against the tendency, by which Colleges are liable to be invaded, to grasp all their Fellowships for the multiplication of tutors. It has had, and it has, its uses ; and the number of men to whom some help after the B.A. degree has been taken is valuable is not a diminishing, but an increasing one. The greater activity of education, the enlarged and growing supply of good and not expensive schools, the great number of scholarships and exhibitions (which it is proposed to make more available for poor men)—everything that has been or may be done to make University education accessible and cheap to young men of industry and ability—tends to augment this class. Scholarships cease at the end of four or five years. And since Oxford, unlike the Universities of the Continent, does not give professional instruction, the expenses necessary to be incurred in preparing for the employments by which a livelihood is earned begin after the industrious student's scholarship or exhibition has come to an end.

The number of Fellowships which, under the new Statutes, will be awarded on examination and held on these terms cannot be foretold otherwise than by a roughly approximate estimate, since it will depend much on the Colleges themselves, but it will probably not reach a hundred.

At several Colleges—those in particular where the number of these Fellowships is considerable—the Statutes will provide that,

in some regular order of time or proportion, regard shall be had, in awarding them, to excellence in particular branches of study, such as natural science, mathematics, theology, history. The last of these, as well as law, is provided for at All Souls, though not there only. If Fellowships are to continue to serve the purpose of encouraging study, they should encourage various studies ; and this they cannot do unless the student can look forward with some confidence to the recurrence of opportunities of winning the reward. From causes which it is not difficult to understand, the general words which were used by the Commissioners of 1854 (and which it is not proposed to abandon) have, standing alone, proved less effectual for their purpose than was expected probably by those who framed them ; and the studies thus placed at a disadvantage have suffered accordingly.

There has been, at all the Colleges, a desire that holders of ordinary Fellowships, who may be willing to take College work for a time, should be allowed a prolongation* of tenure on that account. Some would limit the prolongation to three years ; others to five ; others, again, wished it to be left undefined by Statute. This is, in effect, a provision for inducing men who intend to enter a profession, or who may not have made up their minds about it, to engage temporarily in College work, by securing to them a deferred annuity which is to begin seven years later, and to keep a Fellowship locked up while it lasts. The Commissioners have not wholly refused the request ; but they have conceded it only within cautious limitations.

The general distribution of Fellowships under the new Statutes may most concisely be shown by an example, which I will take from one of the smaller Colleges. The whole number of Fellowships at this College will not be less than ten, nor greater than twelve. One will be annexed to a Professorship, which the College has undertaken to endow. Of the remainder not more than four may be held as tutorial or official Fellowships, during terms of longer duration and renewable, by College tutors or lecturers, and elections to these may be held with or without examination, as the College may decide at the time. The ordinary Fellowships, tenable for a seven years' term, are to be awarded after examination, but the College may elect to such a Fellowship a Professor or Reader in the University (subject in

the case of a Professor to a limitation of income) ; and may also elect, with or without examination, any person engaged in some literary or scientific work, or work of art or research, which he undertakes to prosecute in the College or the University, or, under the direction of the College or the University, elsewhere. Such a power might be usefully exercised to encourage, for example, archæological study abroad, or the publication of ancient texts, or researches in experimental science. Since it must needs be indefinite in its terms, the exercise of it must in general be optional ; and for the same reason it has to be guarded against possible abuse by a limitation of number. At All Souls College, however, which is willing, and can well afford, to make a substantial contribution to the purposes contemplated, seven Fellowships are specifically appropriated to them ; but the election to these will not be altogether in the hands of the College, though the College will have a large share in it.

It may be well to notice here another class of provisions common to the Statutes of all the Colleges. It has
Tuition been usual to make grants out of corporate revenue
Fund. towards a "tuition fund" applicable to the payment of College tutors and lecturers in augmentation of the amount derived from undergraduates' payments. The Commissioners have permitted a continuance of such allocations, but subject to a statutory limitation of amount—a limitation which becomes necessary when they cease, as they hereafter will, to be voluntary grants out of divisible revenue by the persons entitled to share it. Much may be said, and with force, against subsidizing undergraduate education either by tutorial Fellowships or by grants in aid—or even, though here some considerations of another order come in, by endowed Professorships or Readerships. And it would certainly be a misapplication of College (or of University) funds to employ them in providing a mainly gratuitous education, indiscriminately, for a crowd of young men whose parents are generally able to pay for the teaching they want. The Commissioners have not done this, but they have gone quite as far in this direction as they justifiably could. They have had to deal with an endowed University and endowed Colleges, the funds of which have hitherto gone in some measure to provide for students, poor and rich alike, better teaching than their payments alone would have

procured for them ; and this application of money will not be prohibited, though it will be confined within limits, by the new Statutes. The published accounts of the Colleges will show exactly and in detail what the tuition funds amount to, from what sources they are derived, and in what ways they are spent.

From what has been said it will be observed that the Statutes, whilst they leave it in the power of every College to make a certain provision for the teaching of undergraduates, leave the College at the same time free to determine for itself to what extent the power shall be used. As a general rule (the exceptions are very few), there is a fixed *maximum*, but there is no fixed *minimum*, number of tutorial or official Fellowships.

It will be observed further that every College is empowered to associate itself with maturer work in literature or science, by bestowing Fellowships on actual students, subject to conditions to be determined by itself, or on members of the Professoriate, or (under a clause to be presently mentioned) by appropriations out of any surplus revenue ; and that, at most Colleges, one or more of the Professors will necessarily form part of the society, and have a voice in the governing body.

In the Statutes of every College there are clauses intended to secure the residence within the College walls of some of the Fellows engaged in College work, and clauses also authorizing the formation of a pension fund. This is a power which the Commissioners have not thought it right to refuse, though sensible that it is neither unattended by difficulties nor free from objection. They have endeavoured only to secure that, when provision for this purpose is made, it shall not be illusory, shall be moderate in amount, and administered on equitable principles.

By the earlier College Statutes the Fellows were, as a rule, required to enter into Holy Orders within a fixed Clerical period, as a condition of retaining their Fellowships. Fellowships. At a few Colleges this rule had never existed, or had ceased to exist. By the Ordinances made by the Commissioners appointed in 1854 this state of things was greatly modified. In each College a specified number or proportion only of the Fellows were required to be clergymen. At two (Exeter and Lincoln) the time for which the taking of Orders might be deferred was long—fifteen years in the former case and ten in the latter. At All

Souls, Merton, New College, and Wadham there were no clerical restrictions. The number of "clerical" Fellowships in thirteen Colleges, not including Lincoln and Exeter, may with tolerable accuracy be reckoned at a hundred and ten, or thereabouts.

In regard to this matter the Act contains the following clause—a clause involved in construction and not wholly unambiguous in meaning :—

"59. The Commissioners, in statutes made by them, shall make provision, as far as may appear to them requisite, for the due fulfilment of the requisitions of sects. 5 and 6 of the Universities Tests Act, 1871 (relating to religious instruction and to morning and evening prayer in Colleges); but, except for that purpose, they shall not, by a statute made by them, endow wholly or in part an office of an ecclesiastical or theological character by means of any portion of the revenues or private property of the University or a College not forming, when the statute comes into operation, the endowment, or part of the endowment, of an office of that character, and in any statute made by them, shall not make directly or indirectly through the consolidation or combination of any office or emolument with any other office or emolument, whether in the University or in a College or Hall, the entering into Holy Orders or the taking of any test a condition of the holding of any office or emolument existing at the passing of this Act to which that condition is not at the passing of this Act attached."

The sections of the Test Act here referred to enact that Morning and Evening Prayer according to the Prayer-Book, or an authorized abridgment or adaptation, shall continue to be used daily in College Chapels, and that the governing body of every College shall "provide sufficient religious instruction for all members thereof *in statu pupillari* belonging to the Established Church." This Act is expressly protected from repeal by the Act of 1877.

It was under these Acts the duty of the Commissioners to make provision, "so far as might appear to them requisite," for religious instruction in the Colleges and for the regular performance of Divine Service. In other words, it was their duty to consider deliberately what provision, if any, ought to be made for these purposes; that some provision should be made being apparently the intention—certainly in the contemplation—of Parliament. The precise scope and extent of the words "religious instruction" have not been defined by Parliament; that they mean religious teaching proper for members of the Church of England as such, it is hardly necessary to say. The Commissioners have not attempted to supply a definition. But they have deemed it desirable in general that the religious and

theological teaching to be given in Colleges should not be entrusted to a mere paid lecturer, but undertaken, where this is possible, by a member or members of the College, and that the same practice should be followed in respect of the Chapel services, the conduct of which involves, or ought to involve, something more than the bare reading of daily prayers. The reasons for this will be readily understood by any one familiar with College life. To make it a matter of imperative statutory regulation would, however, involve serious difficulties of detail, and probably would be impracticable. The Commissioners have endeavoured in each College to make some provision for these purposes, but have not thought it necessary to insist that this provision should be everywhere uniform. They have not, on the other hand, deemed it right to retain provisions requiring that a certain number or proportion of the Fellows shall be clergymen. Experience has not been, on the whole, favourable to such provisions, even when considered as means for the attainment of the end which they may be supposed to contemplate. Where the taking of Holy Orders is in future to be a qualification for obtaining or holding a Fellowship, this qualification will be explicitly connected with a specific purpose—that of providing for the performance of the Chapel services and for religious teaching—and will be coupled with another qualification, that of fitness and willingness to undertake these duties, and in particular the latter of them. And the Commissioners have consequently acted on the principle that the restriction on free choice which the qualification of Holy Orders imports should be extended no further than the purpose itself may for each College reasonably be deemed to require. There will be no “clerical” fellowships at Colleges where none existed before, or where the obligation to take Orders was deferred for a long period. The “Chaplain” Fellowship at Exeter College is retained; but the right of electing to it is transferred from the Dean and Chapter of Exeter to the College. Whilst it is probable that of the residents at the University employed in academical work a considerable number will be clergymen, this, so far as it is the case, will not be the direct result of statutory restrictions, but will be due to the operation of causes always likely to be powerful in an English University. And whilst

there are provisions in the Statutes which will, if they effect their purpose, encourage and assist the pursuit of theological study, the advantage is one which this study will share in common with the others recognized in the University.

VIII.

College Headships have hitherto been confined to clergymen, except at All Souls and Merton—unless Magdalen **Headships.** be also an exception, which is not historically certain. The restriction could seldom be practically inconvenient when the other members of the society were required to take Orders, and when the University offices tenable by laymen were few. These offices have during the last twenty years largely increased in number and importance. The number of laymen resident in Oxford and employed as lecturers or in other College employments has also increased largely.

The office of Head of a College is an important and useful one in relation both to the College and to the University. But its importance and usefulness depend largely on the qualifications of the holder of it, on the estimation he enjoys, and the influence he possesses. It is on this account desirable that the choice of the electors should, as far as possible consistently with the interests of the College, be free and known to be free. To confine the selection to clergymen is to circumscribe the field of choice within comparatively narrow limits. And it must frequently happen—still more frequently it will be supposed to have happened—that the person elected is not the person most fit for election in the judgment of the electors or a majority of them. It is a further consideration that by maintaining such a restriction the Headships of Colleges, which are positions of emolument and distinction and of comparative leisure, would be placed out of the reach of many, probably a large proportion, of the men who had attained the highest eminence in learning or science, or had rendered the most conspicuous services to University education. It is to be expected, then, that a restriction of this kind, were it to be enforced by College Statutes, would be borne

impatiently by the Colleges and by the University, and would prove hereafter a continual source of discontent. It would certainly detract in some measure from the estimation and influence of the office of Head of a College, and would probably tend to make the perpetuation of it more precarious. For these reasons the Commissioners, not without careful consideration nor without some difference of opinion, have formed the conclusion that the restriction ought to be removed. If, when vacancies hereafter occur, the electors, or a majority of them, think it for the advantage of the College that the Headship should be filled by a clergyman, the Statutes, as framed, will leave them free to act on that opinion. If they think otherwise, and are also satisfied that the fittest person is one who does not happen to be in Holy Orders, they will be equally free to choose that person. This conclusion has been adopted in the case of every College, except Christ Church and Pembroke. To Christ Church the constitution of the House makes it inapplicable; and to Pembroke it could not be applied without occasioning a serious pecuniary loss to that scantily endowed College.

The Commissioners have not thought it well to assign to Heads of Colleges, as such, any *specific* duty in the management of the College estates or the keeping of the accounts, or any specific share in tuition. A Head of a College who is a man of capacity and judgment will always have influence and scope for activity within and without his College. At Exeter, where the Rector has hitherto been charged with some bursarial work, they have recognized the custom pursuant to the desire of the College. They have contemplated everywhere the possibility that a College Headship may be held in conjunction with a Professorship, and have made provision for it. And they have substituted for provisions under which a Head becoming incapable may be represented permanently by a deputy—an arrangement which has grave inconveniences—a provision under which he retires from the office altogether.

IX.

The Commissioners have not seen any good reason to doubt that the system, long established at Oxford, under which the College Scholarships are open to candidates who have not yet matriculated, as well as to those who are in residence, within a specified limit of age, may with advantage be retained. This system affords assistance at the University to young men whose circumstances make it useful to them, and who have proved themselves qualified to turn it to good account; it gives them a certainty of such assistance without compelling them to incur beforehand the expense of entering into residence; and it offers a powerful incentive to industry at school. Scholarships, to serve these purposes, should be of substantial value, not merely distinctions coupled with a small pecuniary reward. Many a man can look back to the pleasure he felt as a boy, when for the first time he gained by his own exertions what he knew to be a help, not only to himself, but to his family, and can, on recollection, convince himself that the success was a healthy stimulant, strengthening the mental fibre. Assistance bestowed on the score of poverty has not this effect. There is nothing to be ashamed of in receiving it, and there will always be a great number of cases in which it may usefully be given; the Commissioners, therefore, have authorized at every, or almost every, College the establishment out of corporate revenue of an Exhibition Fund, which will be available for this purpose. But aid given on this score should be kept distinct from the rewards of success in competition; it should be given in clear cases only, and of necessity, therefore, somewhat sparingly: anything like a general offer of it becomes an invitation of which the greatest advantage is apt to be taken, not by those parents who have the greater need, but by those whose feelings are less nice, or their consciences less scrupulous.

The amount annually bestowed in Scholarships and Exhibitions at the nineteen Colleges for which new Statutes are made may be reckoned (including Trust funds) at over £40,000. This is

exclusive of the £3500 a year (or thereabouts) devoted to Scholarships at Hertford, of the Scholarships at Keble, which may amount to £1000 a year or somewhat more, of the Dyke foundation, and some other endowments. The total number of undergraduates on the books of these nineteen Colleges in 1880 was 2093. The distribution of emoluments among the Colleges is, of course, very unequal, and many of them are confined to particular schools or places.

It was formerly said, and by some, perhaps, would be said now, that Scholarships can hardly be increased too much in number or value. Some, on the contrary, think that there ought to be no Scholarships at all, attainable at entrance into the University—or, at any rate, very few of them. This opinion is held at Cambridge by many eminent persons. It has not met with much acceptance at Oxford, still less from schoolmasters throughout the country.

It is again an opinion prevalent in some quarters that Scholarships are mostly gained by boys whose parents have been able to educate them expensively at expensive schools, and that they do not give assistance to those who are in need of it. Persons who believe this to be the case would make the need of assistance a necessary qualification, if not for getting a scholarship, for gaining with the scholarship any substantial emolument, or else would make it a ground of preference. This opinion is not supported by the observation and experience of persons well qualified to judge. Nor, as regards the character of the schools from which the candidates for scholarships are drawn, does it appear to be founded in fact. It would be easy in any year to make out a list of some fifty or more schools of different classes, many of them large grammar-schools, which have sent up to Oxford successful candidates for Scholarships. And of the successful candidates there are many whose parents could not have sent them to the University without help, and many more who could have been sent only at the cost of difficulty and privation.

It is, at the same time, expedient that Scholarships open to general competition should not exceed a fixed *maximum* value, experience having shown both that the Colleges are tempted to raise against one another the value of the Scholarships they offer, and that this has a tendency to foster habits of expense. The

Commissioners have assumed that it is well to fix this maximum with reference to the circumstances, not of very poor men, but of the class, taken as a whole, to whom assistance is likely to be useful ; and they have not dissented from the view, widely entertained at Oxford, that it may fairly be taken at £80 inclusive of allowances, if any. From £80 to £90 may be taken as the lowest amount for which an undergraduate living in College can be supplied by the College with lodging, board, and tuition.

The ordinary tenure of a Scholarship should be for a term long enough to cover the ordinary course of study for the first degree, but with power to the College to grant a limited extension. It is at the same time important that the Scholar's tenure should be dependent on his continued industry and good conduct, and that this should be distinctly known to him. The Commissioners have not, considering the frequency of the regular examinations at Oxford, thought it well to require, as the test of sustained industry, an additional intermediate examination ; but they have required in all cases an express resolution of the College in the Scholar's favour at the end of the first two years of his term, in default of which he ceases to be a Scholar.

Under the existing Ordinances a Scholarship cannot, as a rule, be gained after the attainment of the age of twenty. Under the new Statutes the limit will be nineteen or a little later—an age at which the training of a schoolboy at school ought to have done its work, and University residence, the close of which in this country is commonly deferred too long, should begin.

A certain number of Scholarships will at several Colleges be assigned to Mathematics and Natural Science, and a few to Modern Languages and Modern History. There will ultimately be, at the least, four or five examinations in every year for Scholarships in Natural Science. At Wadham there will be two Hebrew Scholarships attainable by candidates not more than twenty years old. At three or four Colleges there will be some emoluments greater in amount than Scholarships but less than Fellowships, and tenable for short terms by persons pursuing some specific branch of study, or preparing for entering upon the practice of a profession. The whole number of these is not large. At Magdalen there may be eight of such emoluments, called Senior Demyships, and tenable for a period not exceeding four

years, with a stipend of £100 a year. Any member of the University may be elected who has passed the examinations required for the B.A. degree, and satisfies the electors that he intends to enter upon some course of study with a view to taking Holy Orders, or following the profession of Law, Medicine, or Civil Engineering, or to engage in some definite literary or scientific employment, and that he may have difficulty in doing so without assistance. Candidates may be elected with or without examination, but in the latter case, only if they have attained First Class honours in one at least of the public Examinations.

X.

The general revenue ceasing to be divisible among the Head and Fellows, it becomes necessary to regulate the application of it, and provide for the disposal of any Surplus
revenue. ultimate surplus. This may, at the discretion of the College, be applied to any purposes relative to the College and not inconsistent with the Statutes, or to purposes relative to the University and conducive to the advancement of learning, science, or education. But the discretion thus given to the College is subject to some limitations in respect of particular College purposes, and it is subject to a power given to the Visitor to order that any part of the surplus shall be applied to purposes relative either to the College or to the University, according to a scheme submitted, or to be submitted, for his approval by the College. After such order, the revenue to which it relates cannot be dealt with by the College unless under a scheme. Any scheme submitted to the Visitor must, before it is confirmed, be communicated to the Vice-Chancellor for the information of the Hebdomadal Council; and any representation they may judge it expedient for the interests of the University to make, must receive the consideration of the Visitor.

XI.

Of the four Halls three have been "completely united" to Colleges (sect. 22 of the Act); the fourth, St. Edmund **Halls.** Hall, which has always been connected with Queen's College, has been "partially united" to it. This has been done on the application of the Colleges concerned and of the Hebdomadal Council, with the consent of the Chancellor of the University. The Halls have not been useless, but neither have they at all times been useful; and their *raison d'être* has been impaired by the admission of "unattached" students. They are unendowed and unincorporated, and are under the sole government respectively of a Principal deriving his income from the profits earned by receiving undergraduates; and there appear to be no means of giving them any more solid constitution. The Commissioners, in these circumstances, did not see sufficient reason to insist on the preservation of them as separate institutions. But they deemed it right that in each case the College accepting the union should undertake something in the way of assistance to poor and deserving students. St. Edmund Hall will continue to exist, in more intimate connection than heretofore with Queen's.

In this Letter, already too long, I have passed by a great number of details, many of them important, and have **Conclusion.** said little of provisions which are confined to single Colleges, and of the diversities of form or substance which may be discovered among the various College codes. Unless where the same provision was at different Colleges clearly recommended by the same reasons, or where justice or expediency appeared to require that regulations applied to some should be applied uniformly to all, the Commissioners have not insisted on uniformity, and have been willing to pay attention to the judgment and the wishes of the College themselves as to the Statutes suitable to them.

In the changes which have been described something will

certainly be lost. In all changes of institutions, as in all social changes, something perishes that one would willingly preserve. But, to strike a just balance, we must not only reckon the gain against the loss, but make due allowance for those things which we part with only because to keep them longer has ceased to be in our power.

I am, dear Mr. Gladstone,

Yours faithfully,

MOUNTAGUE BERNARD.

27th February, 1882.

